



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

September 23, 2021

Ryan Ramig
Dive LLC dba Dive Inn
521 Cottage Grove Road
Madison, WI 53714

RE: Consideration of two conditional uses in the Commercial Corridor-Transitional (CC-T) District - to allow free-standing vending and to add an outdoor eating area - in the parking lot of a tavern at 517-521 Cottage Grove Road. (LNDUSE-2021-00060; ID [66111](#))

Dear Ryan;

On September 20, 2021, the Plan Commission found the standards met and **conditionally approved** your conditional use requests for 517-521 Cottage Grove Road. In order to receive final approval of the conditional uses, and for any permits to be issued for your project, the following conditions shall be satisfied:

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following four (4) items:

1. The free-standing vending operation shall follow Supplemental Regulations Section 28.151 for Free-Standing Vending.
2. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.
3. Submit a detail of the proposed fencing for the outdoor eating area.
4. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Please contact me at cwells@cityofmadison.com if you have questions regarding the following four (4) items:

5. That the number of food carts allowed on the site at a time be limited to one (1). In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the number of food carts allowed on the site at time following a positive recommendation by the district alder, as described in the Zoning Code.

6. That the hours of operation for the food cart(s) on site shall be 10:00 am to 9:00 pm daily, including set up and take down. No part of the operator's free-standing vending equipment or operation may remain on the property outside the hours of operation. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the hours of operation for the food cart(s) following a positive recommendation by the district alder, as described in the Zoning Code.
7. That the hours of operation for the outdoor eating area on site shall be 11:00 am to 10:00 pm on weeknights and 11:00 am to 12:00 am on weekends. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the hours of operation for the food cart(s) following a positive recommendation by the district alder, as described in the Zoning Code.
8. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in (or associated with) the outdoor eating area.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and [site plan review fee pursuant to Section 28.206](#) of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options.)
2. The [site plan review fee pursuant to Section 28.206](#) can be mailed in, dropped in the drop box at the Madison Municipal Building, or you can make an appointment at the Zoning counter to pay the fee. Checks should be made out to "City Treasurer." If you mail in the check or use the drop box, please include the application form with the project address and contact information. Zoning staff typically suggest using the drop box or making an appointment with the Zoning counter to pay the fee as they are the quickest.

Mailing Address: City of Madison Building Inspection. P.O. Box 2984. Madison, WI 53701-2984

Drop Box Location: Madison Municipal Building, Doty Street Entrance. 215 Martin Luther King Jr Blvd. Madison, WI 53701-2984

Zoning Counter Appointment: <https://www.cityofmadison.com/dpced/bi/schedule-a-counter-appointment/3423/>

3. The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.

4. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]

5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission’s approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact me at cwells@cityofmadison.com.

Sincerely,



Chris Wells
 Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

cc: Jenny Kirchgatter, Zoning Administrator

LNDUSE-2021-00060			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Forestry
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: Metro